

ASSEMBLY BILL

No. 1423

Introduced by Assembly Member Mark Stone

February 27, 2015

An act relating to medical treatment of prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 1423, as introduced, Mark Stone. Prisoners: medical treatment: consent.

Under existing law a person who allows any lack of care that would injure or impair the health of a person confined in the state prison is guilty of a misdemeanor. Existing law prohibits the Department of Corrections and Rehabilitation from modifying or canceling an order of a physician employed by the department for medical treatment of an inmate that is required to prevent a violation of that prohibition, or to prevent serious and imminent harm to the health of a prisoner, except under specified circumstances. Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to allow the temporary removal of an inmate from the state prison for the purposes of receiving medical treatment.

This bill would express the intent of the Legislature to enact legislation that would establish a process by which the department can obtain consent to release information to the relatives of a prisoner suffering from a debilitating, but not life-threatening, condition during the term of his or her imprisonment, and to obtain consent for a proposed course of treatment for that condition.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation that would establish a process for obtaining consent to
3 release information to the relatives of, and to obtain consent for a
4 proposed course of treatment for, a person sentenced to
5 imprisonment in the state prison who is suffering from a
6 debilitating, but not life-threatening, condition during his or her
7 term of imprisonment.

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